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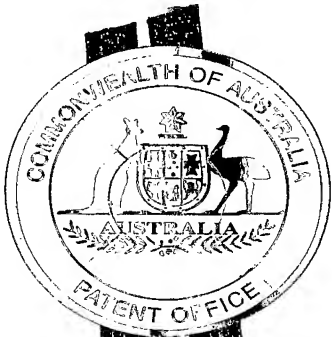
Patent Office
Canberra

I, LEANNE MYNOTT, MANAGER EXAMINATION SUPPORT AND SALES hereby certify that annexed is a true copy of the Provisional specification in connection with Application No. 2004901428 for a patent by JOHN TOZER as filed on 18 March 2004.

WITNESS my hand this
Twenty-seventh day of April 2005

A handwritten signature in black ink, appearing to be 'LM' or 'Leanne Mynott'.

LEANNE MYNOTT
MANAGER EXAMINATION SUPPORT
AND SALES



PAVEMENT ADVERTISING

BACKGROUND OF THE INVENTION

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The present invention relates to improvements in methods of advertising and more particularly and more particularly relates to a means and method for advertising on pavement surfaces such as but not limited to road surfaces. More particularly the present invention relates to a means of advertising wherein indicia and or images are placed in a surface which takes pedestrian and /or vehicular traffic.

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The present invention is particularly useful in an application where advertising indicia may be buried between layers of a pavement, on or underneath an upper pavement layer.

PRIOR ART

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There are in existence a wide variety of different forms of static advertising and more particularly surfaces on which advertising is applied. Examples include road and rail side hoardings which are intended for viewing by passers by and commuters. One of the inherent problems associated with viewing advertising particularly on road side hoardings is driver distraction. Viewing the advertising requires a driver to momentarily take his or her eyes off the road. This is potentially dangerous but tolerated by authorities.

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Advertising is all pervasive so there seems to be a virtually unlimited potential for advertising to appear on almost any surface, including building facades and other structures. The advertising industry uses a wide variety of techniques for product promotion in static advertising, but to date there has been no technique for the application of advertising to pavement surfaces such as pedestrian walkways and roads. Advertisers have in the past employed step advertising in which advertisements are affixed to a riser of a step or escalator.

These may be multiple advertisements which are the same or segments of the one advertisement which together make up the complete advertisement.

5 United States Patent 4,907,361 to Villard discloses a luminous panel for advertising on the ground. Disclosed in an illuminated display device for installation in the ground or surface of a pavement and which incorporates a concrete base which houses a light source and which further supports a first fixed frame to which is mounted a thick transparent plate which plate is reinforced by transparent support members which extend upwardly from the bottom of the concrete base and which further includes an articulated thinner transparent plate which is mounted to a moveable frame which is secured over the fixed transparent plate in such a manner that advertising displays may be placed intermediate the two plates with the plates being selectively locked to retain the advertising displays therebetween.

15 Luminous panels have already been proposed which are intended to be sealed in the ground at the level of the pavements of public highways or the roads of pedestrian precincts, to provide lighting and evidencing of advertising posters or other similar printed documents. However, these attempts have not been successful due to the low resistance of the apparatuses to the load to which they are subjected from vehicles which serve the pedestrian precincts.

20 An attempt was made to overcome this defect by producing a luminous advertising box which, by its structural integrity, is capable of resisting, without failure the highest rolling loads. The advertising box comprised a base of reinforced concrete or fiber concrete, intended to be sealed in an excavation made in the ground and which are equipped with a light source formed by a series of electrical tubes oriented parallel to one another. This base presents, slightly below its open upper edge, a peripheral shoulder or step against which abuts a metal frame forming support for a fixed transparent plate of considerable thickness, made for example of methacrylate or other similar transparent resin; this plate also abuts against a series of parallel distance pieces

which rest against the bottom of the base and which are themselves made of a transparent synthetic material. This equipment is cumbersome, expensive to manufacture and complicated to construct and accordingly was not a practical proposition.

5 INVENTION

New ways of providing advertising are constantly being sought by advertisers and advertising agencies. To date, despite the great variety of known forms of advertising, to the best of the knowledge of the applicant, there has been no examples of practical and effective pavement advertising. Pavement advertising requires application of some form of images and /or indicia to a horizontal surface. In the case where a surface is under constant abrasion this must be taken into account in the application of the indicia.

There is a long felt want in the industry to provide advertising in a way which provides the advertiser with an edge over competitors. There is also a need to provide advertising in a way which lessens the distraction to a driver and which allows a driver to absorb the advertising indicia more so than road side advertising due to the distractions posed by the latter. It is a further object of the invention to provide a form of advertising which is placed in the line of sight of a driver of a vehicle.

The present invention has been developed to overcome the foregoing limitations and disadvantages of known forms of advertising and to provide a useful alternative to the known forms of static advertising.

The present invention seeks to eliminate the above described prior art problems by providing an alternative form of advertising in which drivers and pedestrians may view advertising on a pavement as they drive and walk respectively. It is an objective of the present invention to eliminate the shortcomings of the prior art by introducing advertising on surfaces for which there have previously been no practical means of advertising.

According to the invention, this is accomplished by means of the characteristic features which will be specified below. The structural design of the pavement for advertising is adjusted to accommodate the advertising indicia and images.

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In one broad form the present invention comprises: a pavement surface capable of carrying pedestrian or vehicular traffic characterised in that the pavement includes therein or thereon advertising images and/or indicia which is viewable from above or at an acute angle to a plane of said advertising. Preferably, the advertising images or indicia are located below an upper surface so as to prevent wear of the advertising.

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In another broad form the present invention comprises:

a pavement surface capable of carrying pedestrian or vehicular traffic; characterised in that the pavement includes therein advertising images and/or indicia which is viewable from above or at an acute angle to a plane of said advertising and wherein the advertising is disposed below an upper surface of said pavement so that the advertising is protected from wear due to vehicular or pedestrian traffic.

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In another broad form the present invention comprises: a roadway pavement having disposed beneath an upper surface, advertising images and/or indicia which is viewable from above or at an acute angle to a plane of said advertising by a driver on the roadway pavement.

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In its broadest form the present invention comprises; advertising applied to a roadway pavement either on an upper surface or below said upper surface.

In a broad form of a method aspect the present invention comprises:

a method of applying advertising to a roadway or pedestrian pavement comprising the steps of:

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- a) preparing a pavement surface capable of carrying pedestrian or vehicular traffic;
- b) providing an advertising image on an upper surface of said pavement or underneath the upper surface so that the advertising is protected from wear due to vehicular and/or pedestrian traffic
- 5 c) placing the image or indicia so that said image is viewable from above or at an acute angle to a plane of the advertising and wherein the advertising is disposed below an upper surface of said pavement.

10 **BRIEF DESCRIPTION OF THE DRAWINGS**

The present invention will now be described in more detail according to a preferred embodiment and with reference to the accompanying illustrations wherein;

15 Fig. 1 is a perspective view of a road pavement including pavement advertising according to one embodiment.

Fig. 2 shows a long section profile of a pavement including a recess for receiving an insert which carries advertising.

20 Figure 3 shows a long section profile of a pavement including advertising disposed on an upper pavement surface.

BEST MODE OF CARRYING OUT THE INVENTION

25 Referring to figure 1 there is shown a perspective view of a pavement 1 having a regions 2, 3 and 4 which includes advertising indicia. The pavement surface is preferably a road or pedestrian walkway but it will be appreciated that the advertising method of the invention can be applied to a variety of pavement surfaces.

30 Pavement 1 may be constructed from a variety of surface materials such as bitumen concrete hot mix, cold mix. The advertising is applied either during construction of a pavement or at the completion of an upper surface of the

pavement in which case the advertising image or indicia is applied direct to the upper surface.

Typically, in the construction of a road pavement surface the first step is excavation to a predetermined depth to ensure that a subgrade is adequately prepared for the ultimate dead and live loading to be applied to the upper finished surface of the pavement. The type of road pavement finish determines construction from that point on. In the case of a concrete road pavement after a suitable road base is applied, concrete is laid in sections in the usual manner. The advertising concept according to the present invention may be allied during or after construction. In the case of advertising applied during construction, the manner of application is determined by the nature and material of the road pavement surface. In the case of a concrete road, advertising indicia or images may be introduced on a surface provided by an insert which is durable enough to accommodate traffic but at the same time allow display of advertising. It is not new to apply to road surfaces indicia such as signage to instruct road users as to warnings and provide directions. Such indicia is applied using heavy duty paints applied to an upper surface of the road pavement. This is used in such applications as pedestrian crossings and lane indication. Another form of road marking is the use of strips of a heavy duty cover material which are glued onto road surfaces. Another form of road marking is the use of glass beads which are set as reflective surfaces. In none of the known methods of pavement marking has there been the employment of advertising in or on a road surface in an efficient, economic and practical manner.

Since advertising images and indicia are frequently changed, the invention provides a means to accommodate such change of advertising on a pavement surface by use of a durable insert or durable or non durable paint applied to an upper surface of the pavement.

As shown in figure 1 an advertisement is placed on region 2, 3 and 4 of pavement surface 1. As shown with reference to figure 2 this may be achieved by use of a durable insert 6 which is placed in a recess 7 formed in pavement surface 5. Advertising may be replaced by removing insert 6. Insert 6 has an upper surface 8 which receives and retains advertising indicia. This may be applied by painting, engraving or the like applied direct to the upper surface 8 of insert 6. This may be carried out onsite or in a factory whereupon the completed advertisement is delivered to the site of the advertising. In another embodiment, advertising may be applied to a road pavement surface by direct application to a finished upper road surface.

As shown in figure 3 an advertisement may be placed on region 10 of pavement surface 9. This may be achieved by use of a durable material 11 placed directly onto pavement surface 9. Advertising may be replaced by removing material 11 which has an upper surface 12 which receives and retains advertising indicia. This may be applied by painting, engraving or the like applied direct to the upper surface 9. This may be carried out onsite or in a factory whereupon the completed advertisement is delivered to the site of the advertising. In another embodiment, advertising may be applied to a road pavement surface by direct application to a finished upper road surface.

The insert 6 used for the advertising described with reference to figure 2 is preferably a high strength material such as steel or a heavy duty plastics material. A high strength plastics material may also be used with a highly durable upper surface.

In an alternative embodiment advertising indicia such as trade marks may be applied direct to the pavement surface or blended into the upper surface pavement material.

The foregoing describes only some embodiments of the present invention, and

it will be recognized by persons skilled in the art that numerous variations and modifications may be made to the invention broadly described herein without departing from the overall spirit and scope of the invention.

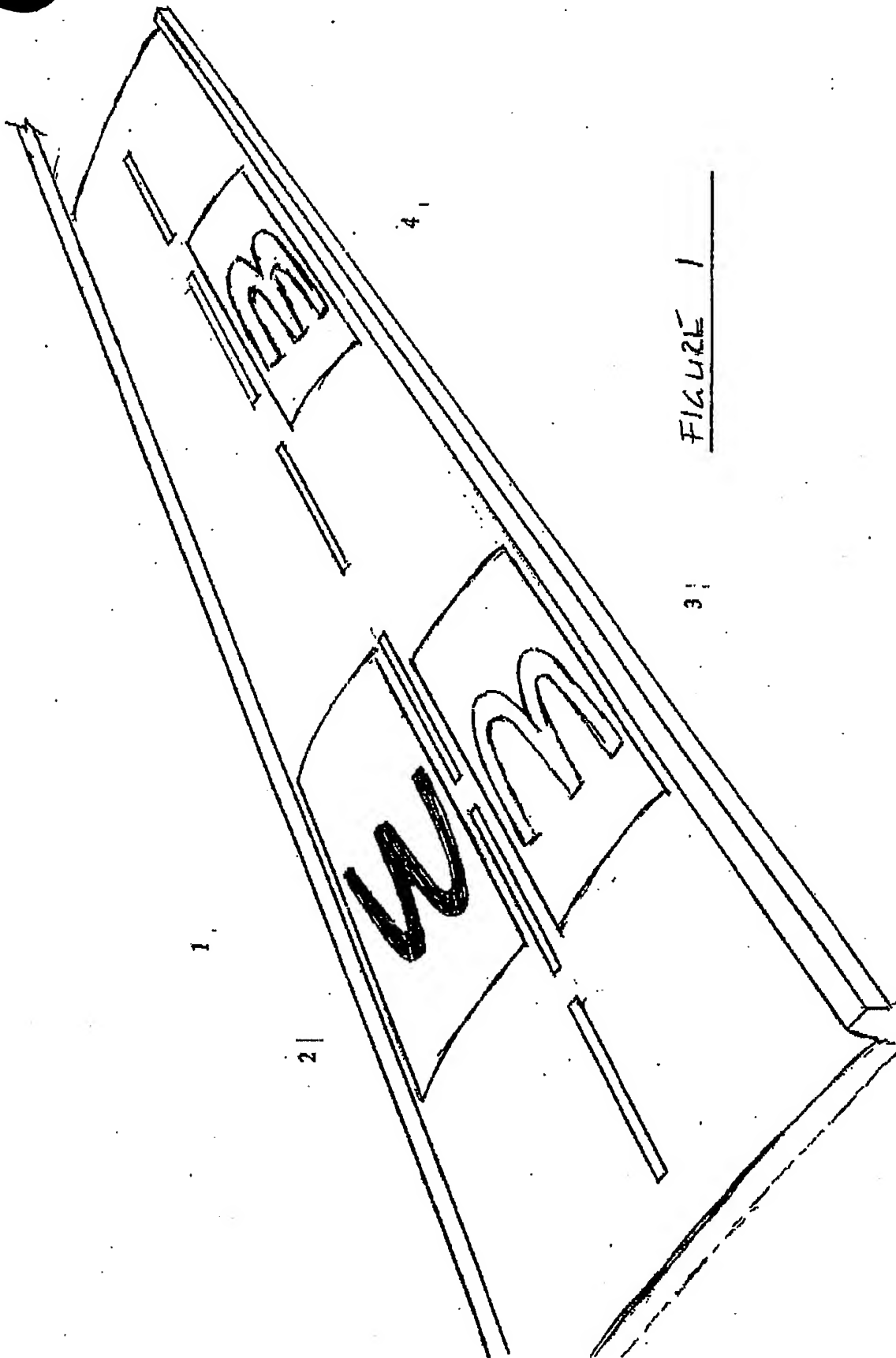
5 Dated this 18th day of March 2004.

JOHN TOZER
By his Patent Attorneys

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WALSH & ASSOCIATES

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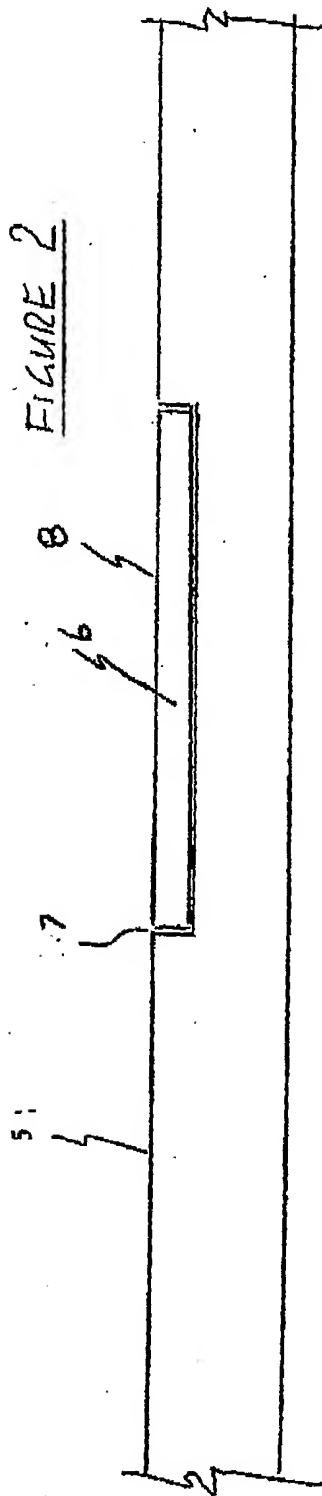


FIGURE 2

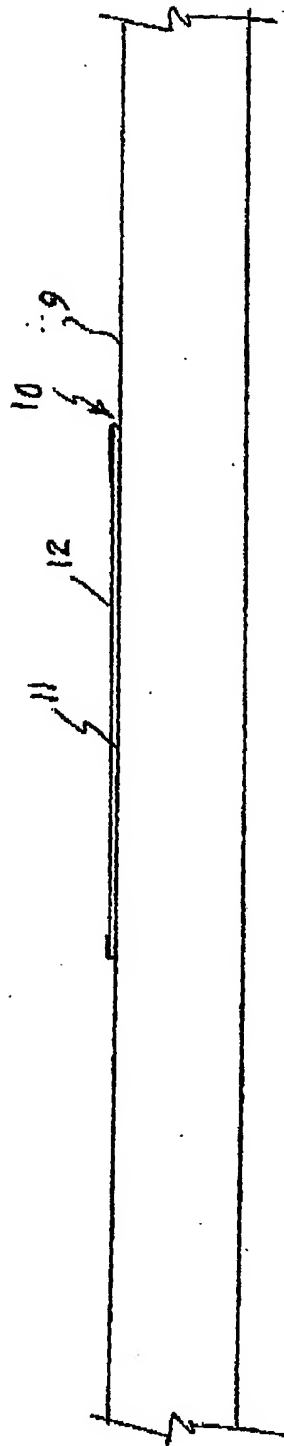


FIGURE 3